
BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

David Craig Clayborne-Harris
rmslead@yahoo.com,

Respondent.

NOTICE OF AGENCY ACTION AND
ORDER

Docket No. 2018-4024

Lisa Watts Baskin
Presiding Officer

NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action against David Craig Clayborne-Harris (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through 63G-4-203 and Utah Admin. Code R590-160.

This agency action is based on the facts and law set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code § 63G-4-202(1) and Utah Admin Code R590-160-4 and R590-160-7.

ORDER

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

1. Respondents Non-Resident Producer License No. 600935 is hereby revoked.
2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and

take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 3110 State Office Building, Salt Lake City, UT 84114. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

4. If you fail to request a hearing, you will be bound by this Order. Failure to request a hearing will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 22nd day of August, 2018.

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN
Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3800
uidadmincases@utah.gov

NOTICE REGARDING ENFORCEMENT OF THE ORDER

Failure to obey the Order may subject you to further penalties that include forfeitures of up to \$2,500 per violation, license suspension or revocation, further enforcement action before the Utah District Court where forfeitures of up to \$10,000 may be imposed. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, Bill Stimpson, declare the following:

1. I am currently employed as a market conduct examiner with the Utah Insurance Department (Department) where my responsibilities include investigating and enforcing Utah insurance laws.

2. I submit this Declaration as the basis for issuing the Notice of Agency Action and Order against David Craig Clayborne-Harris to which this Declaration is attached.

3. Based on my personal knowledge and/or based on the facts appearing in the Department's records and files, the following facts are true:

a. Respondent is a licensed Non-Resident Producer authorized to do insurance business in the State of Utah. The Respondent's licensee number is 600935.

b. On May 23, 2018, the Department sent a request for information letter to the Respondent via email to rmslead@yahoo.com and mail to [REDACTED]

c. The Respondent failed to respond to the Department's email, which was not returned as undeliverable.

d. The Respondent failed to respond to the Department's mail, which was not returned as undeliverable.

e. On July 12, 2018, the Department attempted to call the Respondent at [REDACTED] [REDACTED] the telephone number submitted by the Respondent.

f. A voice mail message was left, however, a telephone call was never returned.

4. The above-declared facts demonstrate that the following Utah insurance law(s) were not complied with:

- a. Respondent violated Utah Code § 31A-2-202(4), by failing to reply promptly in writing to a reasonable written inquiry from the Commissioner.
- b. Respondent violated Utah Code § 31A-23a-412(1), by failing to maintain a valid address and email address.
- c. Respondent violated Utah Code § 31A-23a-412(1), by failing to maintain a valid telephone number.

5. Based on the facts and law set forth above, Utah Code § 31A-23a-111(5)(b)(ii), and other similar enforcement cases, David Craig Clayborne-Harris's insurance license should be revoked.

DATED this 15 day of August, 2018.



Bill Stimpson, Market Conduct Examiner
Utah Insurance Department